

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Frank, *et al.*

Appl. No.: 09/873,409

Filed: June 5, 2001

For: **A Gene Encoding a Multidrug
Resistance Human P-Glycoprotein
Homologue on Chromosome
7p15-21 and Uses Thereof**



Art Unit: 1642

Examiner: Yu, M.

Atty. Dkt.: 7570/73298
(Formerly 81994/279322)

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Request for Continued Examination

Commissioner of Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **MS RCE**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

This is a Request for Continued Examination (RCE) of the above-identified application under 37 C.F.R. §1.114.

1. Submission required under 37 C.F.R. §1.114:

a. Previously submitted:

- ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on [1.116 Amendment filed].
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on [Appeal Brief filed].
- ☐ Other:

b. Enclosed:

- ☒ Amendment and Response Under 37 C.F.R. § 1.111
- ☒ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other:

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2. Additional Items:

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of [No. of Months Suspension 1.103(c)] months. (*Period of suspension shall not exceed three months; fee under 37 C.F.R. §1.17(i) required.*)
- ☒ A petition for extension of time is enclosed.
- ☒ A return postcard is enclosed.
- ☐ Other:
- ☒ Applicant(s) assert entitlement to Small Entity Status.
- ☐ RCE Fee required under 37 C.F.R. § 1.17(e) without a claim of small entity status is: \$770.00.
- ☒ RCE Fee required under 37 C.F.R. § 1.17(e) by an entity claiming small entity status is: \$385.00.
- ☐ A check in the amount of \$ [Check Amount enclosed] is enclosed.
- ☒ Charge \$ \$385.00 to Deposit Account No. 06-1135 under Order No. 7570/73298.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135 under Order No. 7570/73298. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135 under the same Order Number. This sheet is filed in duplicate.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By



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Date October 1, 2003
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